IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

EUGENE DIVISION

RONNIE DOOLEY and THOMAS KITT, individually and on behalf of all others similarly situated	Case No. 1:12-CV-1207-MC Consolidated with Case Nos: 1:13-CV-177-MC & 1:13-CV-395-MC
Plaintiffs,	**AFFIDAVIT OF THOMAS KITT**
v.	
RONALD SAXTON, RODERICK C. WENDT, R. NEIL STUART, and JELD-WEN EMPLOYEE STOCK OWNERSHIP & RETIREMENT PLAN,	
Defendants.	

AFFIDAVIT OF THOMAS KITT

Pursuant to 28 U.S.C. § 1746, the undersigned attests to the following under the penalties of perjury:

1. My name is Thomas Kitt. I am an adult over the age of 18.

2. I am one of the named plaintiffs in the consolidated *Dooley* action challenging the 2010 amendment and new expenses.

3. When I retained Heffner Hurst at the beginning of this litigation, I executed a retainer agreement which provided that my attorneys could request up 33% of any recovery.

4. If my attorneys had not been willing to take this suit on contingency and advance the cost of litigation, I would not have filed this suit due to cost of prosecuting this case. The cost of hiring an attorney on an hourly basis, in light of my damages, was prohibitive.

Exhibit 5

5.   I have been involved in the settlement process from the initial mediation through the final settlement agreement. I support the settlement achieved by Co-Lead Counsel.

6.   I understand that my attorneys are requesting an award of 30% of the recovery and I fully support their request. I believe they served both myself and the Class well.

7.   In connection with this litigation, I have reviewed pleadings, traveled between Iowa and Chicago for the mediation, attended an 11 hour mediation, had repeated discussions with Mr. Hurst about the progress and issues in the litigation, reviewed and considered the settlement terms, and generally kept abreast of the status of the litigation. Although I cannot accurately estimate the hours I have spent on this matter, I believe it has been in excess of 40 hours.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on:

7-10-15

Tom Kitt

By

Exhibit 5